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2 UNITED STATES DISTRICT COURT  
3 WESTERN DISTRICT OF WASHINGTON  
4 AT TACOMA

5 JIMMIE J. WRIGHT,

6 Plaintiff,

7 v.

8 STATE OF WASHINGTON, *et al.*,

9 Defendants.  
10

No. 09-5759 FDB

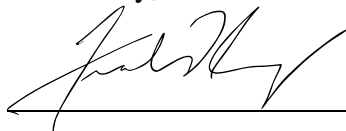
ORDER ADOPTING REPORT AND  
RECOMMENDATION DISMISSING  
COMPLAINT

11 The Magistrate Judge recommends dismissal of this civil rights complaint. Plaintiff has  
12 not filed an objection. As detailed in the Report and Recommendation, Plaintiff may not  
13 challenge in a 42 U.S.C. § 1983 action, his current incarceration and the length or duration of  
14 that incarceration. Further, the individual defendants and the State of Washington are immune  
15 from suit.  
16

17 The Court, having reviewed the Report and Recommendation of Magistrate Judge J.  
18 Richard Creatura, and the remaining record, does hereby find and ORDER:

- 19 (1) The Court adopts the Report and Recommendation;  
20 (2) This action is **DISMISSED WITHOUT PREJUDICE** prior to service  
21 (3) The Clerk is directed to send copies of this Order to Plaintiff, and to the Hon. J.  
22 Richard Creatura.  
23

24 DATED this 16<sup>th</sup> day of February, 2010.

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FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE